

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

534,610

PCT/EP2003/013772



Applicant's or agent's file reference P27542/WO Kf	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/013772	International filing date (day/month/year) 05 December 2003 (05.12.2003)	Priority date (day/month/year) 03 January 2003 (03.01.2003)
International Patent Classification (IPC) or national classification and IPC H05K 5/02		
Applicant RHODE & SCHWARZ GMBH & CO. KG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>7</u> sheets, including this cover sheet. <input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of _____ sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input checked="" type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input checked="" type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 07 July 2004 (07.07.2004)	Date of completion of this report 12 October 2004 (12.10.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/013772

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☒ the description:
 pages _____ 1-31 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the claims:
 pages _____ 1-30 _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the drawings:
 pages _____ 1/15-15/15 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

- These elements were available or furnished to this Authority in the following language _____ which is:
- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

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III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application.

☒ claims Nos. 1-18

because:

☐ the said international application, or the said claims Nos. _____
relate to the following subject matter which does not require an international preliminary examination (*specify*):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 1-18
are so unclear that no meaningful opinion could be formed (*specify*):

See the supplemental sheet

☐ the claims, or said claims Nos. _____ are so inadequately supported
by the description that no meaningful opinion could be formed.

☐ no international search report has been established for said claims Nos. _____

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

☐ the written form has not been furnished or does not comply with the standard.

☐ the computer readable form has not been furnished or does not comply with the standard.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.
- ☐ paid additional fees.
- ☐ paid additional fees under protest.
- ☐ neither restricted nor paid additional fees.

2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☐ complied with.
- ☐ not complied with for the following reasons:

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

- ☐ all parts.
- ☒ the parts relating to claims Nos. 19-30

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes III. and IV.

Regarding Box III.

1. Claims 1 and 12 were written as separate independent claims.

However, they appear to refer in fact to one and the same subject matter, that is a module for a measuring instrument, the module comprising a plug-in contact element for electrical contacting of a data transfer plug-and-socket plate of the measuring instrument.

The measuring instrument module according to claim 1 comprises, *inter alia*, a main printed-circuit board disposed in a first p.c.b. area, which is formed by at least one frame element.

The measuring instrument module according to claim 12 comprises, *inter alia*, a base element with a first p.c.b. area that is suitable for accommodating a printed-circuit board and with a second p.c.b. area.

Claims 1 and 12 obviously differ, then, only by divergent definitions of the subject matter for which protection is sought, or rather by the terms used to define the features of this subject matter.

Hence, claims 1 and 12 are not clear and concise and do not meet the requirements of PCT Article 6.

2. In light of the above objection, the application cannot at present be fully examined.

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes III. and IV.

Regarding Box IV.

1. The present application comprises two different inventions that are not so linked as to form a single general inventive concept:
Claims 1 and 12 are directed to a module for a measuring instrument, said module comprising a plug contact element for electrical contacting of a data transfer plug-and-socket plate of the measuring instrument, said module comprising a main printed-circuit board disposed in a first p.c.b. area or said module comprising a base element with a first p.c.b. area to accommodate a printed board and with a second p.c.b. area.
Claim 19 is directed to a measuring instrument with plug-in measuring instrument modules that are connected through a plug-and-socket plate with an information-output device on a front side of the measuring instrument, where the modules can be plugged in from a back side facing away from the information-output device, a recess being provided in the front side of the measuring instrument, making an electrical connection accessible at least for some of the plugged-in measuring instrument modules.

Independent claims 1, 12 and 19 therefore have no technical features in common that substantiate an inventive step.

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes III. and IV.

Nor do they contain any common technical features that solve a common technical problem.

Claims 1 and 12 are directed to a measuring instrument module wherein the protective system against electromagnetic radiation can be disposed on the printed-circuit board itself.

Claim 19 is directed to a measuring instrument wherein the front side of the measuring instrument is given a recess that allows access to an electrical connection.

For the above reasons, the international application contains multiple inventions or groups of inventions that are not linked by a single general inventive concept (PCT Rule 13.1).

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/13772

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	19-30	YES
	Claims		NO
Inventive step (IS)	Claims	19-30	YES
	Claims		NO
Industrial applicability (IA)	Claims	19-30	YES
	Claims		NO

2. Citations and explanations

- DE-A-3933643 discloses (cf. column 1, lines 3-19 and fig. 1, 4, 10, 11) a measuring instrument with plug-in modules, said modules 25 being connected through a plug-and-socket plate to an information-output device 50a on the front side of the measuring instrument (cf. column 5, lines 58-62; column 6, lines 2-10 and fig. 10-11), where said modules can be plugged in from a back side facing away from the information-output device (cf. column 6, lines 2-10 and fig. 10-11).

The subject matter of claim 19 thus differs from the prior art described in DE-A-3933643 in that a recess is provided in the front side of the measuring instrument by which an electrical connection is accessible at least for some of the plugged-in measuring instrument modules.

The subject matter of claim 19 is therefore novel. The problem addressed with claim 19 is that of devising a measuring instrument with plug-in measuring instrument modules enabling a user to operate comfortably from the side of the display device.

None of the documents cited in the search report discloses or suggests the claimed solution.

US-A-6011701 discloses a drawer module that can be pushed into a housing. This drawer has openings that provide cooling or allow insertion of data carriers.

US-A-2001/0032847 discloses a housing for a memory card.

Claim 19 thus also meets the PCT requirements for inventive step.

2. Claims 20-30 are dependent on claim 19 and thus also meet the PCT requirements for novelty and inventive step.